

the office I hold beyond my constitutional term of four years.

Very respectfully,

EDMUND J. DAVIS, Governor.

Hon. B. H. EPPERSON and other gentlemen of committees, present.

Senator Dillard offered the following resolution:

*Resolved*, That a committee of three, to act with a like committee from the House, be appointed by the Senate, to take into consideration the answer of the Governor to the committee of the Senate and House, and to report what action is proper and necessary to be taken upon the same.

On motion of Senator Dillard, the Senate went into executive session.

Senator Flanagan moved that the executive session do now rise. Carried.

Senator Friend offered the following amendment:

"And that said committee report at 8 p. m. this day." Lost.

Resolution adopted, and Senators Dillard, Ball and Wood, were appointed as said committee.

A message from the House was announced, stating that the House had appointed a committee of five, consisting of Representatives Epperson, Barziza, Harris, Delaney and Sayers, to act with a committee from the Senate, to take into consideration the answer of the Governor, and to report as early as practicable.

Senator Wood offered the following resolution:

*Resolved*, That Senator Ireland, President *pro tem*, and Senator Culberson, be added to the joint committee to take into consideration the Governor's answer to the committee notifying him of the organization of the Fourteenth Legislature. Adopted.

(Senator Swift in the Chair.)

Senator Dillard offered the following resolution:

*Resolved*, That the secretary of the Senate be, and is hereby, empowered to purchase such necessary stationery, consisting of pens, paper, ink, inkstands, envelopes, etc., which he may deem necessary for the use of the Senate for at least three weeks, to be paid for out of the contingent fund. Adopted.

(Senator Flanagan in the Chair.)

Senator Bradshaw offered the following resolution:

*Resolved*, That the sergeant-at-arms be, and is hereby required to purchase oil, fuel, and such other things as may be necessary for the use of the Senate for three weeks, to be paid for out of the contingent fund. Adopted.

Senator Flanagan offered the following resolution:

*Resolved*, That the sergeant-at-arms be instructed to have the desks of Senators

put in order, that our stationery may be secure. Adopted.

Senator Parker moved to adjourn until 8 o'clock p. m. this evening.

Senator Swift moved to amend by inserting 9 o'clock a. m. to-morrow. The amendment was accepted and the motion adopted as amended.

### THIRD DAY.

SENATE CHAMBER,

AUSTIN, January 15, 1874.

Senate met pursuant to adjournment. Prayer by Rev. R. C. Burleson. Roll called; quorum present.

Absent—Baker, Culberson, Dwyer, Morris and Stirman.

Minutes of yesterday read and adopted.

Lieutenant Governor Jones was invited by the President *pro tem*. to a seat within the bar of the Senate.

The rules of the Senate were read by the secretary, for the information of Senators.

Bush Stell and Arthur Lee Forbes were appointed as second and third pages of the Senate.

(Senator Ledbetter in the chair.)

Senator Parker offered the following resolution, which, on motion of Senator Westfall, was adopted:

*Resolved*, That the secretary be instructed to furnish each Senator with a copy of the rules of the Senate as soon as practicable.

(Senator Ireland in the chair.)

Senator Dillard appeared before the bar of the Senate, and announced that the joint committee had arrived at a definite conclusion, and would be ready to report in one hour and a half.

On motion of Senator Westfall, the Senate adjourned until 12:30 p. m.

### AFTERNOON SESSION.

Senate met. Roll called. There being no quorum present, on motion of Senator Dillard, the Senate adjourned until 2:30 p. m.

Senate met pursuant to adjournment. Roll called. Quorum present.

W. H. Russell, Senator elect from the Thirtieth Senatorial District, came forward and was sworn in.

Senator Dillard submitted a report from the joint committee who were appointed to take into consideration the answer of his Excellency the Governor, on their informing him of the organization of the Fourteenth Legislature:

Hon. John Ireland, President of the Senate:

Your committee, appointed by the Senate to act in conjunction with a like committee on the part of the House for the purpose of

taking into consideration the answer of his Excellency the Governor to the joint committee appointed by the Senate and House to inform him of the organization of the Fourteenth Legislature, and to report what action is necessary and proper under the circumstances, beg leave to submit the following:

They recommend that the Legislature proceed to count the vote for Governor and Lieutenant Governor, cast at the election held on the second day of December, 1873, and declare the result, and as soon thereafter as practicable, proceed to inaugurate the Governor and Lieutenant Governor elect.

Your committee deem it proper to announce in this report, in reference to the tenure of office of Governor Davis, that it is the unanimous opinion of members composing the committee, the term of office of the Governor commenced on the day of his election, and will expire as soon as the governor elect is qualified.

Respectfully submitted.

J. E. DILLARD, Chairman.

W. D. WOOD,

A. J. BALL,

D. B. CULBERSON,

JOHN IRELAND,

Senate committee.

B. H. EPPERSON,

W. L. DELANEY,

D. U. BARZIZA,

JOHN W. HARRIS,

WM. B. SAYERS,

House committee.

A message was received from the House announcing the passage of the following resolution by the House:

*Resolved*, That the Senate is invited to meet the House of Representatives in this hall this evening, when the returns of the election held on the second day of December, 1873, for the office of Governor and Lieutenant Governor, are opened and published, and the result thereof declared.

Senator Hobby offered the following resolution:

*Resolved*, That the Senate, preceded by the President *pro tem.*, repair in a body immediately to the House of Representatives, and there, in conjunction with the House and in accordance with the Constitution, proceed to open and publish the election returns for Governor and Lieutenant Governor. Adopted.

The Senate then went into joint session with the House to witness the counting of the votes for Governor and Lieutenant Governor.

The secretary of the Senate called the roll, and the President of the Senate announced a quorum present.

Roll of the House called. The Speaker announced a quorum present.

The Speaker announced that the joint session of the two houses was for the purpose of counting the vote for Governor and Lieutenant Governor of Texas at the election held on December 2, 1873.

Senator Dillard, on the part of the Senate, moved that two Senators be appointed as tellers. Adopted.

The President appointed on said committee Senators Hobby and Russell.

Mr. Sayers moved that the Speaker appoint a committee of three on the part of the House to act in conjunction with the Senate committee. Adopted.

The Speaker appointed Messrs. Sayers, Moody and Epperson as said committee.

The tellers then proceeded to count the votes, and announced the following as the result:

FOR GOVERNOR.

Richard Coke ..... 85,549

E. J. Davis ..... 42,683

FOR LIEUTENANT GOVERNOR:

R. B. Hubbard ..... 86,825

R. H. Taylor ..... 42,812

Senator Dillard moved that a committee of three, to act with a like committee from the House, be appointed to conduct the Governor and Lieutenant Governor elect to the Speaker's stand for the purpose of being qualified and inaugurated. Adopted.

Mr. Sayers moved that a committee of three be appointed by the Speaker to act with the Senate committee. Adopted.

The President of the Senate appointed on said committee Senators Swift, Dillard and Ledbetter.

The Speaker appointed Messrs. Sayers, Epperson and Harris.

The Speaker then announced that Hon. Richard Coke was the duly and constitutionally elected Governor of the State of Texas, for four years from the date of his installation.

The Speaker also announced that Richard B. Hubbard was the duly and constitutionally elected Lieutenant Governor of the State of Texas for four years from the date of his installation.

The joint committee then conducted the Governor and Lieutenant Governor elect to the Speaker's stand, who were duly and constitutionally sworn into their respective offices by Judge Livingston Lindsey.

Governor Coke then delivered his inaugural address, which was as follows:

*Fellow-citizens of Texas:* After passing through many vicissitudes and trials, and being chastened in the ordeal of adversity, you at length have reached the haven where the rights and powers of self-government are yours, and the duties and responsibilities of that condition are devolved upon you. To-day, for the first time since she emerged from the ruin and disaster of the great civil war, Texas sees the inauguration

in her Capitol of a government chosen by the free and untrammelled suffrage of her people, having their confidence, and looking to them for support and accountability. Let the heart of the patriot throb with joy, for the old landmarks of constitutional, representative government, so long lost, are this day restored, and the ancient liberties of the people of Texas re-established. The virtue and intelligence of the country, no longer ostracised, now wield their legitimate influence, and the government of Texas henceforth is to be administered in the interest and for the benefit of the people, and to reflect their will. I congratulate you, fellow-citizens; upon this grand consummation, upon your restoration to that which is the birthright of the people of every State, in this great Republic—the right of local self-government; a right reserved by each of the several States when they formed the Union, and created the Federal Government. That right which reserves to the States respectively the power to regulate and control their internal and domestic affairs, and so to shape their policy and direct the operations of their government, as to give scope and development to the inclinations and genius of their people. The wise founders of our government foresaw that over so vast an expanse of territory, so diversified in climate, soil, production, and population, perpetual jarring and discord would ensue, arising out of the different, and in many cases conflicting, interests and views of the various States, if the notions of proper public policy of any one or more of the States should be enforced on another State, contrary to its own opinions of what was best for its interests. Hence the fundamental idea, which underlies the Federal constitution, is a recognition of the perfect right of each State in its own way to work out its own destiny, and seek the prosperity and happiness of its people, subject only to the requirement that its government shall be republican in form, leaving to the general government the care and control of all matters pertaining to the common interest and general welfare of all the States. This wise distribution of power leaves in the State governments respectively, which are immediately under the influence and control of the people, and reflect directly the popular will, jurisdiction over the nearest and dearest rights of the citizen to regulate his conduct, the use, possession, title, and descent of his property, his duties as a member of society, in fine, to govern him and his family, his home and his fireside, in every particular wherein the interests of society require that they shall be governed. How indispensable to the liberty of the citizen it is that the government which thus controls and deals

with his person and property should be near him and directly accountable to him. On the other hand, to the Federal government, which is more remote, inaccessible, and therefore not so directly accountable to the people, is delegated power over matters that do not so nearly concern the people, in which they are not so directly and personally interested, but in which the people of all the States have a common and general interest. Under our Federal constitution these two powers are so adjusted as to work in perfect harmony, each achieving in its appropriate sphere the desired result, and the two combined constituting that grand fabric of free government which is the pride and boast of every American citizen. In this plan of government, the wisest ever devised by the ingenuity of man, the right of local self-government, so indispensable to a preservation of the liberties of the people and to their material prosperity, is the fundamental principle. In virtue of it, each State, being free to pursue its interests and the happiness and prosperity of its people, according to its own ideas of proper policy, possesses opportunity and margin for development and advancement, which is limited only by its resources and the wisdom of its government and people. Having an equal voice through its representatives in the administration of the Federal government; sharing its burdens and its benefits alike with its sisters, and having with them a common interest and a common pride in its greatness and power, its beneficence and care, each State may in the career chosen by the will of its people speed onward to the fulfillment of its destiny; while the Federal government uniting in itself the continuing effort of all the States, receives momentum from its constituents and represents within its constitutional sphere the aggregate greatness and power of them all. The adoption of the thirteenth, fourteenth and fifteenth amendments to the Federal constitution, which are as binding as if promulgated in the original instrument, has taken from the States and vested in the Federal government, powers formerly residing in the States, and it is true that in the operative agency of the Federal government there is a natural tendency to an absorption of power from the States, which tendency was greatly stimulated during our civil war and has grown constantly since. Still the essential principles of local self-government remain to the States respectively untouched; and now that slavery and secession are dead and buried beyond the possibility of resurrection and no sectional question disturbs the public mind; since the States recently undergoing reconstruction have been restored to their constitutional relations with the Federal government, and the people remitted to

their original rights and duties; since a true and lasting peace has come, and the power and authority of the Federal government, within limits which cover all the issues of the war, have been amply vindicated, and are acknowledged by all; since it is the inherent right of every American citizen to do so in the interest of good government, has not the time arrived when, without being obnoxious to the charge of disloyalty, we may recur to original principles on which the government was founded, discuss them among ourselves, and base our political action upon them? Is it inconsistent with a patriotic devotion to the Union and the Constitution to do so? Is it not rather the highest duty of the citizen to study and understand the principles of the government under which he lives, and in defense of which, if necessary, he should lay down his life? If, while perpetuating the Union, we, at the same time, would preserve the right of local self government in the States from the dangers which menace it in the constantly growing process of centralization, we must exert such political influence as we have, for the protection of that priceless heritage, and this we can only do by recurring to the principles of the Constitution, invoking a strict adherence to them in the administration of the government, and making them the basis and guide of primary popular action. If the original framework of our government and the fundamental canons of the Constitution are to be preserved, and handed down to our posterity, as we received them, we must appeal to the virtue and intelligence of the voting masses of the people. They sometimes, under the influence of excitement, passion, or feeling, go astray, but their sober second thought is the perfection of human wisdom, and ever brings them back to the maintenance of correct principle and good government. In every section and quarter of this great republic evidence of this fact is being given in manifestations of popular enthusiasm and determination for a return to honesty and economy and the limitations of the Constitution in the administration of the government. In his disposition of the American people to return to old constitutional landmarks so soon after the subsidence of the great civil strife, which caused a departure from them, we recognize the popular instinct which tolerated what the necessities of the times demanded, but keenly appreciate the fact that the necessity no longer exists, and demands a restoration of government, based on fixed principles. The patriotic believer in republican representative government finds in this manifestation abundant cause for rejoicing, because he sees in it that conservative quality of the popular mind and heart which is the surest guaranty of the

stability and permanence of our institutions. Opposing political parties, aspiring to the control and direction of the government have existed under every limited government in the world, and will always exist. In a government like ours, they are a necessary consequence. When based on principle and the advocacy of great measures of public policy; when they demand popular confidence and support on account of the excellence of their respective theories of constitutional construction; when "measures, not men," is in truth their controlling idea, they constitute the staunchest prop, the most powerful element of support, and the most effective preservative of constitutional governments to be found in the organization of our society. The masses of the people are educated by them to an understanding of the principles of the government. But when abandoning or ignoring principle, political parties become the mere partisans of men in their scramble for power and place, they are hurtful and demoralizing to government and people, and a bane and curse upon the country. This is not a country for personal parties and personal issues. In the empires and kingdoms of the old world, where opposing dynasties marshal their adherents in contests for crowns and sceptres, each claiming to be master of the people by divine right, such parties are legitimate, because in full accord with their theory of government. But here where the people are sovereign and the Government constitutional, where all men are free and equal, and where, in a great measure, the preservation of our peculiar form of government, and with it the liberties of our people, depend upon the policy and measures of administration and the principles which guide and control it, no party should be trusted with power which does not boldly avow and blazon on its banners its leading principles and measures of policy, and ask for them the popular indorsement and approval. The great civil war with its madness and passion is a thing of the past, while patriotism, broad and comprehensive as our common country, now possesses the hearts of our people. Reason and cool unclouded intelligence have resumed their sway. Henceforth acrimony and bitterness and appeals to prejudice and hate in political contests must give way to enlightened discussion of the element and principles of government; and the party which would propitiate popular favor must achieve that result by appealing to the sober judgment and intelligence of the people and through the excellence of its principles and plan of administration. Hence, I repeat, the time has arrived when the people of Texas, recurring to fundamental principles and drawing new inspiration from

them, should base their political action on them and demand of their servants a strict adherence to and observance of them in their official conduct. The limitations of the Constitution observed, and the rights of local self-government preserved, as it now exists, from further encroachment, the future is bright with promise of stability for the government and happiness and prosperity for the people. Let the people be true to themselves, and exercise with intelligence, with watchfulness and care, their elective franchise—demanding, as a condition to a bestowal of place and trust and power, capacity, unsullied honor and integrity, and unswerving devotion to the principles and inner spirit of the Constitution—and our government, the freest on earth will go down, and carry its blessings to our remotest posterity. Under it, the inestimable boon is now ours of seeking the progress, development and advancement of Texas, and the happiness and prosperity of our people in our own way. The genius, tastes, sentiments, feelings, and will of the great mass of the people of Texas, will find expression in the administration of their State government, and the destiny of Texas, her glory and her history, will be the work of her own people. We have the fairest land that the sun of heaven shines on, rich in all the elements of greatness, in vastness and extent, in fertility of soil, in variety of climate and productions, in ore and mineral, in beauty and grandeur of scenery, and in salubrity and healthfulness, and richer still in the heroic history of its people. This glorious land is ours. Forgetting the troubles and adversity of the past, except the lessons of wisdom to be drawn from its bitter experience, and remembering only its glories, let us in the spirit of true statesmanship look to the future which lies bright before us, beckoning us on to a higher and more advanced civilization, to progress, development, prosperity and greatness, and by seizing the opportunities in our reach show that we are worthy of our magnificent country, and of the heroes and statesmen who won and transmitted it. With firm reliance on the capabilities of our people, an unfaltering faith in the greatness of the destiny of Texas, and a determined purpose to reach the highest excellence in all that pertains to her development, and to the material prosperity, and moral, intellectual and political advancement of her people, let us mould the action of our government to the achievement of these grand results. Let our watchword be progress, —and I mean by progress that vigor which may be imparted to the natural growth of Texas by skillful and generous cultivation; the policy which is broad and comprehensive enough in its sweep to discern and utilize all the resources

of the State—which leaves none of its wealth unmined and none of the elements untouched which may be used in building up its greatness, that healthy, steady, sturdy advancement which is born of intelligent, considerate, persistent effort to be up and abreast with the times in all that is good and great, and which carries along with it increased and increasing prosperity and elevation to both State and people. The great purpose embraced in this idea should animate our people and pervade all departments of our government. We should mature, adopt and pursue an educational policy, an internal improvement policy, an immigration policy, and a financial policy, each to be improved as time and experience may suggest, and as the changing conditions of the State may require. With a common free school system which shall secure to every child in the State an education fitting him for the high duties of American citizenship, an immigration policy which shall make known to the world the unrivaled advantages of Texas, her liberal homestead laws, and the cheapness of her rich and productive lands, the remunerating prices of labor, the healthfulness of her climate, the magnificent rewards of thrift, energy and industry, within her limits, and by appropriate legislation stimulate and increase the steady and swelling tide of enterprising, thrifty and intelligent population, now pouring into her borders from every quarter of the old and new world; a wise and liberal policy, which shall invite the investment of capital in works of internal improvement, especially in the construction of railroads, by giving ample margin for profit, and by friendly and just legislation inspiring confidence in the good will of our people towards such enterprises, now so absolutely essential to the growth and development of Texas, reserving at the same time such powers over them as will surely subordinate them to the will, interests and supremacy of the people; and with a financial policy running parallel with a strictly economical and thoroughly honest administration of the government, which shall reduce taxation to the lowest figure adequate to the expenses of the government, the prompt payment of the public debt and the preservation unblemished of the credit of the State— to these I will add a system which will supplement the efforts of the Federal government for the protection of our suffering frontier, and give that protection to the inhabitants of that portion of the State to which they are clearly and justly entitled, thereby opening up an area of magnificent territory to settlement and productiveness, while discharging a high obligation to the frontier people; with the inauguration and steady, judicious prosecution of these

lines of policy, Texas will develop, in the near future, a greatness truly magnificent. Wealth, population and political power will flow in upon us, and every interest and industry will be buoyed in the rising tide of the country's prosperity. Let us be true to ourselves and posterity, and use with wisdom the munificent gifts bestowed upon us, by a kind Providence, and we will reap the rich reward of our efforts in the prosperity and happiness of our people and the greatness and glory of our beloved State.

We must remember that this is an eminently practical era. That abstract principles, barren of practical results, find no favor in the popular mind. The people demand facts, results. The world is moving around them, and if they stand still, the party in power will justly be held responsible. They cannot see the excellence of principles which keep them in the rear while others are advancing in the general march of improvement.

Hence the political party which would commend its principles to popular favor must show by its works, by the results it accomplishes when in power, that it stands upon no platform of dead abstractions, but upon living, moving principles, in full harmony with the spirit of the age, having the power of expansion and adaptation to the changing conditions of society, fully capable of meeting its wants and responding to its demands in all the phases it may assume. A government adhering in its operations closely to constitutional restrictions, marked by vigor of administration, as well as the strictest honesty and economy; giving perfect protection to life, liberty and property, by a vigorous enforcement of the laws; advancing the moral and intellectual condition of the people by means of common free schools; filling the country with population by means of an immigration policy which shall actively promote the object; liberally fostering by friendly legislation the construction of railroads which shall give rapid and cheap transportation to the production of the country; and maintaining the honor and credit of the State by paying the public debt, and incurring no debt in future, without at the same time providing a specific fund for its payment, is demanded by the times and the people of Texas, and nothing less will satisfy them. Let us respond fully to this call of duty and patriotism, and prepare to acquit ourselves of the duties and responsibilities now devolving, and to be devolved upon us, in such manner that hereafter when the great tribunal of the people shall pass judgment upon our acts, it shall find not only their liberty preserved, but their material prosperity and the power and greatness of the State advanced.

The attainment of these grand results need involve no accumulation of public indebted-

ness, or the imposition of further burdens upon our people. On the contrary, a careful administration of our government, added to a prudent husbanding of our resources, and due attention to proper retrenchment of all unnecessary expenditures, will enable us to secure not only these but other blessings to our State and people, and at the same time enable us to take from their shoulders a large portion of the load of taxation now resting on them. The healthy development superinduced by a wise administration of these essential measures will add new sources to our revenues each day, and thus in a manner furnish the means necessary for their due execution. Demanded alike by the exigencies of the hour and the united voice of our people, their successful inauguration must command our early and assiduous attention and our most untiring energies. Standing to-day in the threshold of a new era in the history of our State, our thoughts naturally recur to the past with its checkered vista of storms and sunshine. We remember the privations, hardships, struggles and victories of the fathers, the gradual advancement of civilization and the building up of waste places, the development of our resources, the increase of population, and we look around us to-day and find, as a reward for steadfast devotion and constant toil and effort, a State the peer of any in this proud commonwealth of States. We love Texas because we have, day by day, watched her growth and contributed in part to her development. It is the home of our nativity or adoption, and we cheerfully lay upon her altar the purest treasures of our hearts' devotion. Her government and the administration of her laws receive our most zealous watchfulness, because committed to our hands by her people. But we do not forget that a part of our sovereignty is lodged elsewhere, and that as patriots we owe duties and obligations to another authority, which in its sphere equally demands our loyalty and devotion. As Texans we stand by Texas, as American citizens we stand by the Union, and are prepared to peril our lives in defense of our national government, its interests and its honor, as Texans have done before. Its interests are ours, its prosperity is ours, and to us belongs a part at least of its glory and its greatness. Side by side with our sister States, we have labored for the achievement of a common result—the development and advancement of our common country. And Texas will prove no laggard in the race, but with the stride of a young giant, will press forward to the fulfillment of her every duty.

Fellow-citizens of Texas, this day I assume the high trust to which you have called me. Chosen by a portion of my fel-

low-citizens of one political belief, I am not unmindful of the fact that others of a different faith are citizens of Texas and equally entitled to the benefits and blessings of good government. We must forget the passions and prejudices of the past, and view with each other only in a generous emulation to subserve the true interests of our glorious State. Invoking the charity and forbearance of my fellow-citizens, and humbly asking the favor and guidance of Almighty God, I announce to you my acceptance of the responsible duties devolved upon me, and my unwavering determination, so far as in me lies, to so discharge them that the interests and liberties of our people will be protected and preserved, and the honor and glory of Texas advanced.

Senator Erath moved that the Senators retire to the Senate chamber. Adopted.

Senator Dillard moved that the sergeant-at-arms be instructed to employ sufficient force to prevent the Senate chamber from any intrusion to-night. Adopted.

The President of the Senate *pro tem* introduced to the Senate the Lieutenant Governor elect, as the future President of the Senate; and after thanking Senators for the honor and politeness they had shown him, he resigned his seat to Lieutenant Governor Hubbard. The following were his remarks:

"Senators--During the brief period that I have presided over your body, I have endeavored to make our intercourse pleasant. While it is gratifying to be able thus to announce, I have hopes that our labors will result in good to the country.

"I thank you, Senators, for your aid and assistance in the discharge of my duties.

"I now have the pleasure of introducing to you Lieutenant Governor Hubbard, who, by the Constitution and laws of the State, and his election and oath of office, is your presiding officer."

The President of the Senate elect, after being introduced, said:

*Senators and Representatives of Texas:* Assuming the office of Lieutenant Governor at a grave and perilous crisis in the history of Texas, and invoking the favor of God for the future, I greet you, Senators, at the beginning of our joint labors and responsibilities.

I approach the discharge of the high duties imposed upon me as the presiding officer of the Senate with a full consciousness of the difficulties of the position, earnestly inviting from the honored representatives of the people their forbearance and co-operation.

It shall be my aim, as it is my pledge, to act conscientiously and impartially, knowing no party or sect in the official discharge

of the trust reposed in me by the people of Texas.

You have come up, Senators and Representatives, to this capitol fresh from the people, to reflect and execute their known will on great issues expressed at the ballot, as well as to guard and protect and develop all the great political and material interests of the commonwealth.

It is unnecessary that I should remind you in whose hands have been placed so momentous a trust, the necessity of caution and mature and patriotic deliberation in council. The passions and prejudices excited in the heat of great political contests, such as we have but recently witnessed the fierce invectives of the hustings, or of the press, should be laid aside, if not forgotten, in the presence of the grave and exalted duties devolved upon the legislator, sworn to represent and support the Constitution and laws, and to protect the interests of the whole people.

But we would be untrue to our constituency, representing as we do the clearly expressed will of the people of Texas, should the law-making power of the government fail to redeem their pledges to the people by the enactment of such laws as will give force and power to the popular will, and restore peace and quiet, protect person and property, life and liberty—develop our wonderful material resources, and which will secure purity and ability in all the departments of our State government, legislative, executive and judicial. I stand in the presence of a body of representative men in whom the people may well have confided so great and so sacred a trust. Some of you stood by the Republic of Texas at its birth, saw on the historic field of San Jacinto our star rise from a night of darkness and of storms. Many of you, more than a quarter of a century ago, were engaged in the service of the young and struggling State, in its counsels, and guarding the frontiers when this capital itself was on the wild border.

Others of you, in more recent periods, have adorned the bench and the forum, represented the people in the legislative councils of the commonwealth—whilst all have received the endorsement of a great people for distinguished capacity, experience and integrity in the public service. To such a presence, I repeat, I do not feel called upon, nor does the occasion require of me to advise any course of State policy, save that which is dictated by your own wise judgment and a devoted love for Texas.

You represent a State magnificent in dimensions and resources, rich in all the elements of mineral, agricultural and commercial power and prosperity. You represent, likewise, more than a million of people, who, by their enterprise, toils, and



daring have removed our frontiers from the Sabine almost to the Rio Grande, within two decades, and who have so developed our resources, that to-day we exercise a controlling commercial and political power in the American Union. Such a constituency impose grave and solemn responsibilities. But we are yet only in the infancy of our progress; a noble and vigorous manhood awaits the wise statesmanship of our legislators, and a just administration by the chosen rulers of the people. To foster a just and beneficent system of internal improvement; preserving the people from extortion and monopolies on the one hand and giving liberal encouragement to the investment of capital on the other; to foster immigration so that our vast solitudes may be filled by the coming millions from the worn-out lands of the old world and the new; to protect our frontiers under wise and wholesome laws from the ruthless savage; to organize a judicious system of common school education, so that in due time the children of the State, poor and rich, may reap the fruits of the labors of the fathers of the republic when they founded a magnificent school fund for their posterity; to inaugurate economy in the government, reducing taxation, while we, at the same time, preserve our honor and integrity and plighted faith; these are some of the chiefest of the many subjects gravely demanding legislation. The opportunity and duty are ours in conjunction with the other branches of the government to inaugurate a new era of efficiency and prosperity in the State. A majority of nearly fifty thousand of her sons in the great civic contest through which we have just passed, proclaims that of those to whom much has been entrusted, much will be required. For the first time in many years the government of Texas, by the fairest constitutional expression of the popular will, in all its departments is placed once more in the hands of the real representatives of the people. Let us so use that power that the bitterness and controversies and passions of the past may be forgotten in a common union and in a common brotherhood of sentiment for the honor and glory of Texas.

Emerging, in company with our sister States of the South, from great disasters, stricken with sorrows, borne down in the unequal contest, mutilated, poverty-stricken—a stainless, fadeless honor crowns her brow, still radiant with courage and hope.

Standing as we do in the presence of the mute memorials of our country's honor and glory—speaking from yonder monument in the vestibule of this Capitol, erected to the memory of the martyrs of liberty, and from the breathing canvass on its walls, telling us of the "heroic age" in our history—let us invoke the aid of that Providence whose

sway is justice and "who ruleth in the councils of men," that no false or faltering step may be taken in the path of honor and of duty.

Senator Culberson moved that the Senate adjourn until 10 o'clock A. M. to-morrow. Carried.

#### FOURTH DAY.

##### SENATE CHAMBER,

AUSTIN, January 16, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Absent—Senators Flanagan and Randle.

Minutes of yesterday read and adopted.

Senator Ireland asked leave to introduce a bill. Granted.

He then offered a bill entitled, "An act to prevent sheriffs and other persons from paying over to G. W. Honey or A. Bledsoe, or to any person for them, any money or public funds."

Read first time.

Senator Dillard moved to suspend the rules. Carried.

The bill was read second time and ordered engrossed.

On motion of Senator Ball, the rules were further suspended, bill read third time and passed.

Senator Ireland introduced a bill entitled "An act to prevent G. W. Honey and A. Bledsoe and others from paying out money or public funds."

Read first time.

On motion of Senator Westfall, the rules were suspended; bill read second time and ordered engrossed.

On motion of Senator Swift, the rules were further suspended, bill read third time and passed.

Senator Ellis offered the following resolution:

*Resolved*, That the President of the Senate is hereby authorized to appoint a sufficient number of assistant sergeants-at-arms to protect the Senate Chamber from unlawful intrusion. The number of assistant sergeants-at-arms so appointed, and the duration of their services to be determined by the President of the Senate.

Adopted.

Senator Swift offered the following resolution:

*Resolved*, That the secretary of the Senate be authorized to contract with the editor of the DEMOCRATIC STATESMAN, and the editor of the *State Gazette* for twenty-five copies of their paper for each Senator, to be divided as may be desired by the Senators.

Senator Wood moved to amend by inserting after the word "*Gazette*," "and Gal-